



**ORDINANCE NUMBER 2804**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT-INTERIM USE FOR A PERIOD OF TEN YEARS, BEGINNING JANUARY 17, 2005, AND ENDING JANUARY 17, 2015, TO ALLOW 3 CELLULAR ANTENNA PANELS TO BE MOUNTED ON A 90-FOOT TALL TELECOMMUNICATIONS MONOPOLE AT 13985 DENNIS LANE, GENERALLY LOCATED ON THE WEST SIDE OF DENNIS LANE APPROXIMATELY MIDWAY ALONG THE NORTHERN BOUNDARY OF FARMERS BRANCH PARK AND WITHIN THE PLANNED DEVELOPMENT NUMBER 3 (PD-3) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR AN EXPIRATION DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof; and,

WHEREAS, the applicant in Zoning Case #04-SU-09 has agreed to be bound by the terms of their application for zoning and the provisions contained in the Zoning Ordinance concerning the granting of a specific use permit-interim use; and,

WHEREAS, the applicant has committed that the value of any improvements to be constructed or installed pursuant to this ordinance will be fully amortized prior to the expiration of the specific use permit-interim use; and

WHEREAS, the City of Farmers Branch City Council is of the opinion that in order to protect the public health, welfare and safety, said change in zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a specific use permit-interim use, beginning on January 17, 2005 and expiring on January 17, 2015, allowing T-Mobile USA to install a cellular telecommunications antenna system consisting of three (3) cellular communications antenna panels mounted on a 90-foot tall telecommunications monopole and associated equipment in a .0459 acre lease area (see Exhibit "A") located in Farmers Branch Park at 13985 Dennis Lane (see Exhibit "B") on the west side of Dennis Lane approximately midway along the northern boundary of the park and within the Planned Development Number 3 (PD-3) zoning district.

SECTION 3. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a specific use permit-interim use and approval of an associated site plan for the installation of three (3) cellular communications antenna panels to be mounted on a 90-foot tall telecommunications monopole and associated equipment at 13985 Dennis Lane, to be constructed, situated and located in accordance with the approved site plan attached as Exhibit "C".

SECTION 4. That T-Mobile USA, or subsequent owner of the antenna system, shall remove the wireless communications antennas, the monopole antenna tower, and all appurtenances within ninety (90) days subsequent to the earlier of the following event(s): 1) such time that the antenna system, monopole antenna tower and appurtenances become obsolete and/or the use is abandoned, or 2) the expiration of this specific use permit-interim use.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two thousand (\$2,000.00) dollars for each offense.

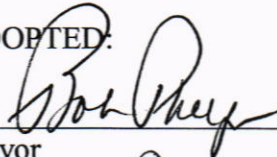
SECTION 6. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 7. In addition to, and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. This ordinance shall take effect immediately from and after its passage as the law in such case provides.

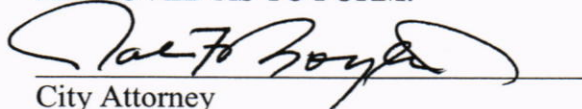
Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 10<sup>th</sup> day of January, 2005.

ADOPTED:



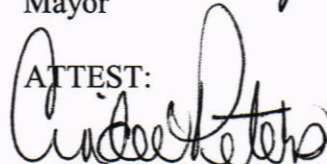
Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Secretary

BEING a tract of land situated in the Robert J. West Survey, Abstract No. 1576, City of Farmers Branch, Dallas County, Texas, also being out of and a portion of that certain tract of land conveyed to the City of Farmers Branch by Volume 83077, Page 1396, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a chiseled "x" set in concrete found for the most southerly southeast corner of Lot 1-R, Block A, Valwood Village Shopping Center, an addition to the City of Farmers Branch, Dallas County, Texas, according to the map or plat thereof recorded in Volume 90144, Page 5308, Deed Records, Dallas County, Texas, also being an interior corner of said City of Farmers Branch tract;

THENCE along the most southerly east line of said Lot 1-R, same being the north line of said City of Farmers Branch tract, South 89 degrees 41 minutes 33 seconds West, a distance of 195.00 feet to a Point;

THENCE through the interior of said City of Farmers Branch tract, South 89 degrees 26 minutes 38 seconds West, a distance of 53.61 feet to a 5/8" iron rod set with cap marked "WEBB-4125" for the POINT OF BEGINNING hereof;

THENCE continuing through the interior of said City of Farmers Branch tract the following four (4) courses:

1. South 89 degrees 38 minutes 10 seconds West, a distance of 80.00 feet to a 5/8" iron rod set with cap marked "WEBB-4125";
2. North 00 degrees 21 minutes 50 seconds West, a distance of 25.00 feet to a 5/8" iron rod set with cap marked "WEBB-4125";
3. North 89 degrees 38 minutes 10 seconds East, a distance of 80.00 feet to a 5/8" iron rod set with cap marked "WEBB-4125";
4. South 00 degrees 21 minutes 50 seconds East, a distance of 25.00 feet to the POINT OF BEGINNING hereof and containing 0.0459 acres or 2000 square feet of land, more or less.

BEING a tract of land out of the Robert J. West Survey, Abstract No. 1576, in the City of Farmers Branch, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a concrete marker with a bronze disc in the Northwest right-of-way line of Dennis Lane (an 80' R.O.W.) said point being North 40 deg. 00 min. East, 375.00 feet from the intersection of the Northeast right-of-way line of Dennis Lane, said point also being the Southeast corner of the U. S. Post Office Addition, recorded in Volume 77155, Page 1953, Map Records, Dallas County, Texas;

THENCE North 40 deg. 00 min. East, 775.00 feet along the Northwest right-of-way line of Dennis Lane to a point for curve to the left having a central angle of 15 deg. 38 min. 19 sec. and a radius of 784.25 feet;

THENCE around said curve, 214.06 feet along the Northwest right-of-way line of Dennis Lane to an iron pin for corner, said point being the Southeast corner of Valwood Village Addition;

THENCE West, 571.79 feet to an iron pin for corner;

THENCE South 30.00 feet to an iron pin for corner;

THENCE West, 195.00 feet to an iron pin for corner;

THENCE North, 30.00 feet to an iron pin for corner;

THENCE West, 262.00 feet to a cross in concrete for corner;

THENCE South, 75.00 feet to an iron pin for corner;

THENCE West 334.20 feet to an iron pin for corner;

THENCE South 64.20 feet to a point for curve to the left having a central angle of 38 deg. 54 min. 55 sec., and a radius of 500.58 feet;

THENCE around said curve, 339.99 feet to an iron pin for corner;

THENCE North 51 deg. 05 min. 05 sec. East, 175.00 feet radial to a concrete marker with a bronze disc for corner in a Southeasterly direction having a central angle of 11 deg. 05 min. 05 sec., and a radius of 325.58 feet, said point being the Northeast corner of the U. S. Post Office Addition;

THENCE around said curve in a Southeasterly direction, 62.99 feet to a concrete marker with a bronze disc for corner;

THENCE South 50 deg. 00 min. East, 600.00 feet to the PLACE OF BEGINNING and containing 595,478.11 square feet or 13.6703 acres of land.

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Exhibit "B"

Exhibit "C" (Page 1 of 9)

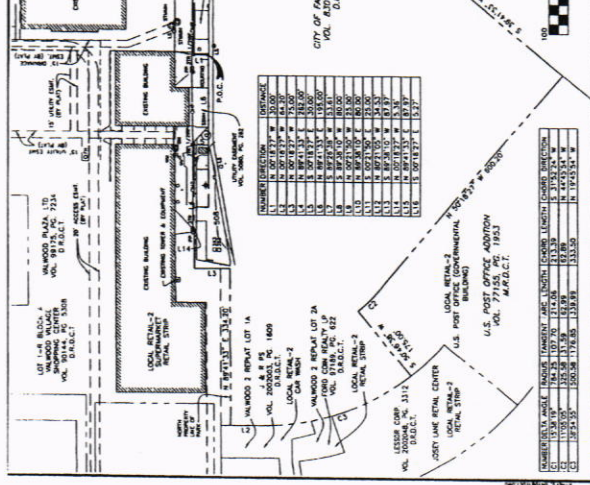
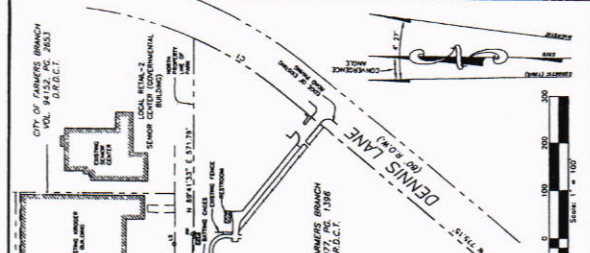


Exhibit "C" (Page 2 of 9)

**W-T COMMUNICATION  
DESIGN GROUP, LLC**  
3001 LBJ FREEWAY, SUITE 128  
DALLAS, TEXAS 75234  
PH. (972) 738-0761 FAX. (972) 738-0761  
WWW.WTDCORP.COM

11830 WEBB CHAPEL RD.  
SUITE 5000  
DALLAS, TEXAS 75234  
OFFICE: (214) 523-4100  
FAX: (214) 523-4101

4	10/2/04	SET REVIEWS	
3	07/01/04	CITY COMMENTS	
2	04/02/04	CITY COMMENTS	
1	05/11/04	FOR CONSTRUCTION	
A	05/11/2004	FOR CLIENT REVIEW	

**DA1081.F  
FARMER BRANCH  
PARK**

FARMER BRANCH, TEXAS  
DALLAS COUNTY



OVERALL SITE PLAN

DATE: 04/19/04

SCALE: AS NOTED

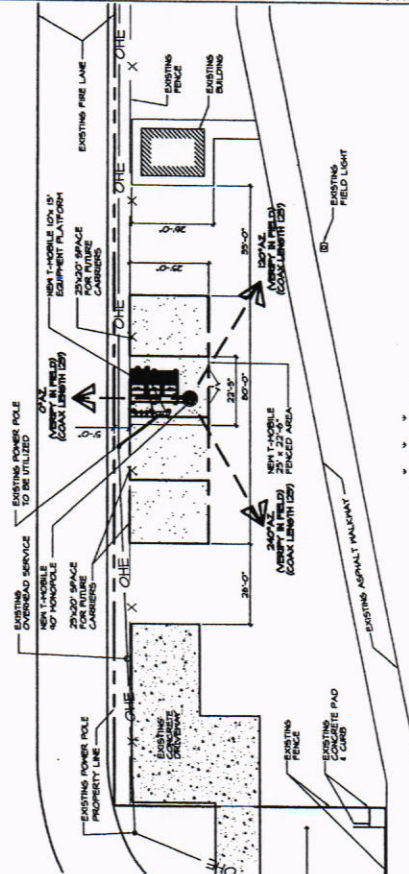
DRAWN: AG

W-T #	T03471
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SHEET

15

EXISTING BUILDING



NOTE:  
SEE SURVEY FOR LEGAL  
DESCRIPTION OF LEASE AREA  
AND ACCESS EASEMENT



1

**OVERALL SITE PLAN**  
SCALE: 1"=50'-0"

NOTES:

1. THE SIZE, HEIGHT AND DIRECTION OF THE ANTENNA SHALL BE ADJUSTED TO MEET SYSTEM REQUIREMENTS.
2. CONTRACTOR SHALL VERIFY HEIGHT OF ANTENNA WITH T-MOBILE PM.
3. ALL ANTENNA AZIMUTH ARE TO BE FROM TRUE NORTH.
4. ALL DISTURBED AREAS WILL BE REPLACED TO ORIGINAL CONDITION.

1. EXISTING RAYTRONS AND ANTENNAS ARE DEMANDED TO MEET ALL LOCAL, REGIONAL, AND NATIONAL STANDARDS FOR STEEL ANTENNA SUPPORTING STRUCTURES. THE DESIGN SHALL BE NOT TO EXCEED 10 TO 100.
2. ALL STRUCTURAL STEEL SHALL BE HOT-DIP GALVANIZED AFTER CONSTRUCTION.
3. EXISTING VEGETATION SHALL BE REMOVED, REVEALED, AND ACCESS TO EXISTING STRUCTURAL STEEL SHALL BE MAINTAINED, AND DIRECTED IN ACCORDANCE WITH SPECIFICATION PART 01 50 00.
4. ALL EXISTING AND NEW UTILITIES SHALL BE IDENTIFIED AND PLACED IN ACCORDANCE WITH ALL CITY AND STATE CODES.
5. UTILITY IS UNCHANGED AND NOT FOR HUMAN HABITATION (NAMED) ACCESS NOT REQUIRED.
6. THERE ARE NO OUTPOLES LIGHTING WITH THE EXCEPTION OF EMERGENCY LIGHTS.
7. CONDITIONS.
8. UTILITY HAS NO OUTPOLES.
9. UTILITY SHALL BE REPAIR/REPLACE, POWERED WITH SEPARATE WIRES.
10. UTILITY SHALL BE REPAIR/REPLACE, UNPOWERED. UTILITY SHALL BE CONNECTED BY FIELD DEPT'S ENGINEER IN THE AGENCY AND DIRECTION OF THE CONTRACTOR.
11. CONTRACT COMMANDERS AND THEIR EMPLOYEES MUST OBSERVE AND PRACTICE ALL OSHA SAFETY REGULATED WHILE PERFORMING SERVICE.
12. THERE ARE OTHERS DOING WORK ON THE SAME SITE.
13. THERE ARE OTHERS DOING WORK WITH A PERMANENT PLANT PROTECTION SYSTEM. THE CONTRACTOR COMPANY IS RESPONSIBLE FOR PROVIDING A PROTECTION SYSTEM.
14. CONTRACTOR SHALL PERFORM A SAFETY INSPECTION PRIOR TO WORKING ON THE SITE.
15. CONTRACTOR SHALL PERFORM A SAFETY INSPECTION PRIOR TO WORKING ON THE SITE. OTHERS SHALL BE IMMEDIATELY NOTIFIED OF SAFETY VIOLATIONS PRIOR DURING THE INSPECTION THAT COULD CAUSE DAMAGE TO THE CONTRACTOR'S PROPERTY OR THE PROPERTY OF OTHERS. THE CONTRACTOR TO IMMEDIATELY, ALL WORK SHALL BE HALTED UNTIL SUCH THAT THE VIOLATION IS CORRECTED.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORK. IT IS POSSIBLE THAT OTHERS WOULD BE CONDUCTED BY THE CONTRACTOR ON SITE. AFTER THE CONTRACTOR HAS NOTIFIED OTHERS OF THE INJURED AND HARMED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORK.

RECEIVED

001-6104

COMMUNITY SERVICES  
DEPARTMENT

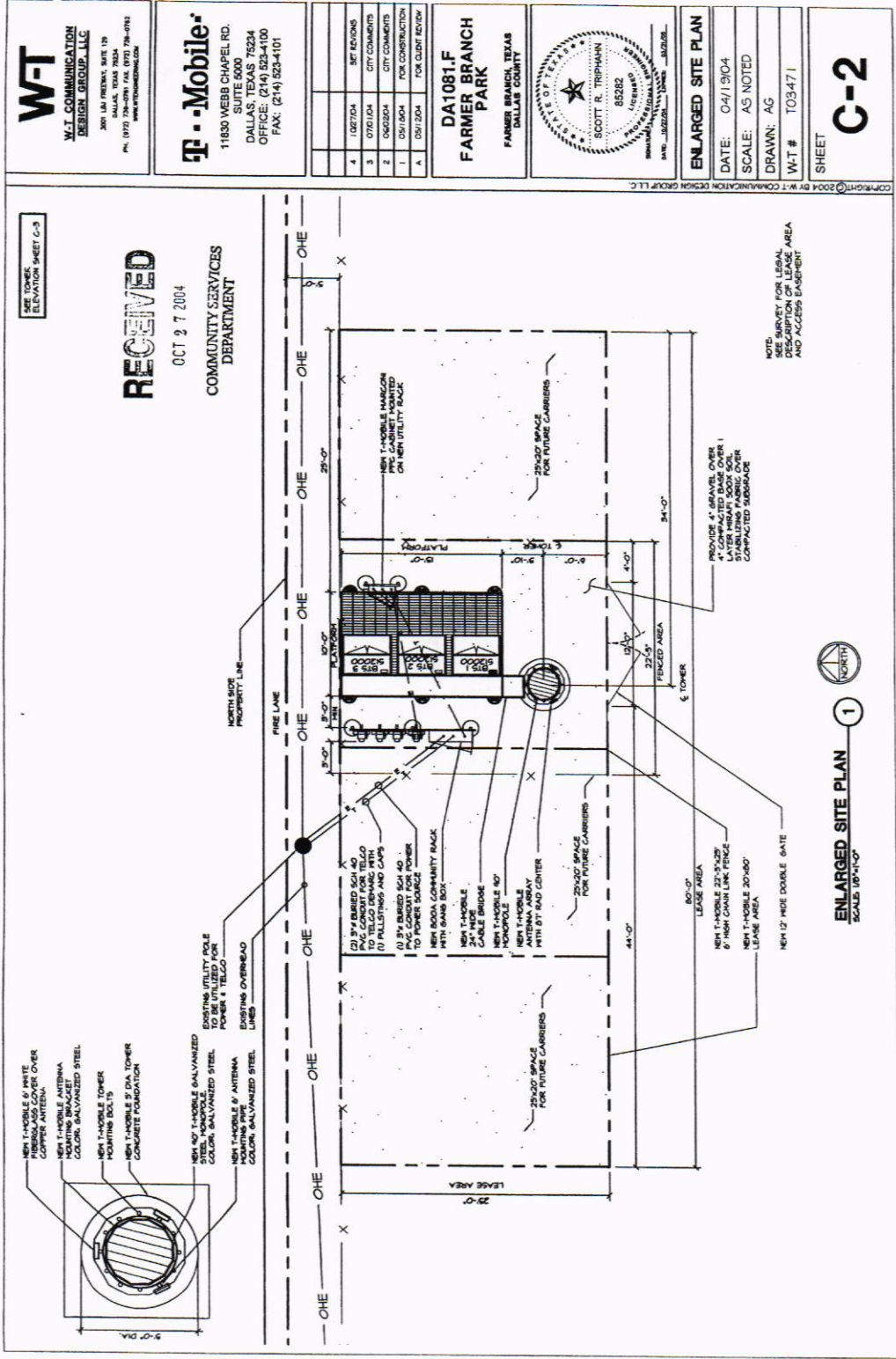
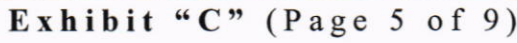


Exhibit "C" (Page 4 of 9)



**COAX CABLE  
SPECIFICATION TABLE**



**W-T**  
**W-T COMMUNICATION**  
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 PH: (972) 728-0791 FAX: (972) 728-0792  
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**T-Mobile**  
 11830 WEBB CHAPEL RD.  
 SUITE 5000  
 DALLAS, TEXAS 75234  
 OFFICE: (214) 323-4100  
 FAX: (214) 323-4101

1	01/17/04	SET REVISIONS
2	07/21/04	CITY COMMENTS
3	08/23/04	CITY COMMENTS
4	09/14/04	FOR CONSTRUCTION
5	09/14/04	FOR CLIENT REVIEW

**DA1081.F**  
**FARMER BRANCH**  
**PARK**  
 FARMER BRANCH, TEXAS  
 DALLAS COUNTY



**ANTENNA SCHEDULE**  
 DATE: 04/19/04  
 SCALE: AS NOTED  
 DRAWN: AG  
 W-T # T03471  
 SHEET

**C-4**

**RECEIVED**

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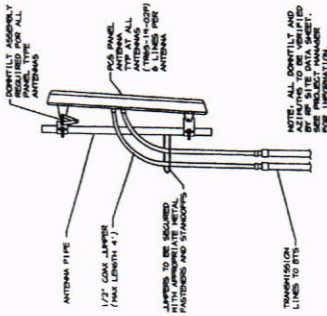
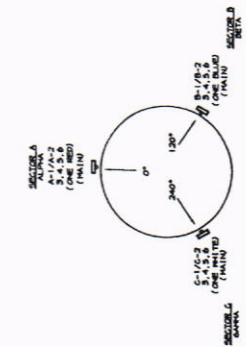
**COMMUNITY SERVICES**  
**DEPARTMENT**

ANTENNA NAME	SECTOR	ANTENNA	COAXIAL CABLE FEED LOCATION	MECHANICAL DOWN-TILT	AZIMUTH
A-1	A	BHS #T865-14-G2P	BACK-HOLE	0°	0°
B-1	B	BHS #T865-14-G2P	BACK-HOLE	0°	130°
C-1	C	BHS #T865-14-G2P	BACK-HOLE	0°	240°

**ANTENNA SCHEDULE**  
 SCALE: N.T.S.

**COLOR CODING CHART**  
 SCALE: N.T.S.

**ANTENNA DETAIL**  
 SCALE: N.T.S.



FROM/TO	SECTOR A				SECTOR B				SECTOR C			
	AZ. 0°	MECHANICAL DOWN-TILT = 0°	LENGTH (FT)	COAX CABLE TYPE/SIZE	AZ. 130°	MECHANICAL DOWN-TILT = 0°	LENGTH (FT)	COAX CABLE TYPE/SIZE	AZ. 240°	MECHANICAL DOWN-TILT = 0°	LENGTH (FT)	COAX CABLE TYPE/SIZE
MAIN LINE COAX FROM RADIO CABINET TO RADIO CABINET	125	125	125	125	125	125	125	125	125	125	125	125
JUMPER CABLES FROM RADIO TO MAIN TRANSMISSION LINE	10	10	10	10	10	10	10	10	10	10	10	10
JUMPER CABLES FROM MAIN TRANSMISSION LINE TO ANTENNAS	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"	1/2"

NOTE: DUAL POLAR ANTENNAS REQUIRE TWO RUNS OF COAX PER ANTENNA.

LENGTHS POSTED ON THIS CHART ARE  
 ESTIMATED FROM AVAILABLE INFORMATION  
 ON THE ANTENNAS. CONTRACTOR SHALL  
 VERIFY ALL LENGTHS IN FIELD PRIOR TO  
 INSTALLATION AND NOTIFY THE T-MOBILE FIELD ENGINEER FOR VERIFICATION OF SIZES  
 OF INSTALLATION. CONTRACTOR TO PROVIDE AS-BUILTS FOR THE LENGTH OF CABLES UPON COMPLETION  
 OF INSTALLATION.

**COAX CABLE CHART**  
 SCALE: N.T.S.

**PROJECT NOTES**  
 SCALE: N.T.S.

1. ALL ANTENNAS TO BE PROVIDED WITH DOWN-TILT BRACKETS.  
 CONTRACTOR TO COORDINATE REQUIRED MECHANICAL  
 DOWN-TILT FOR EACH ANTENNA WITH RF ENGINEER.
2. ANTENNA CENTERLINE HEIGHT IS IN REFERENCE TO  
 ELEVATION 0.0'.  
 SHEET C-5 HEIGHTS ARE SHOWN ON TOWER ELEVATION  
 SHEET C-2.
3. ANTENNA AZIMUTHS SHOWN ON SITE PLAN.
4. SEE COAX CABLE CHART THIS SHEET FOR CABLE DIAMETERS.  
 CHECK WITH RF ENGINEER FOR LATEST ANTENNA  
 TYPE & AZIMUTH.
5. CONTRACTOR SHALL VERIFY ANTENNA TYPE AND AZIMUTH  
 WITH CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION.

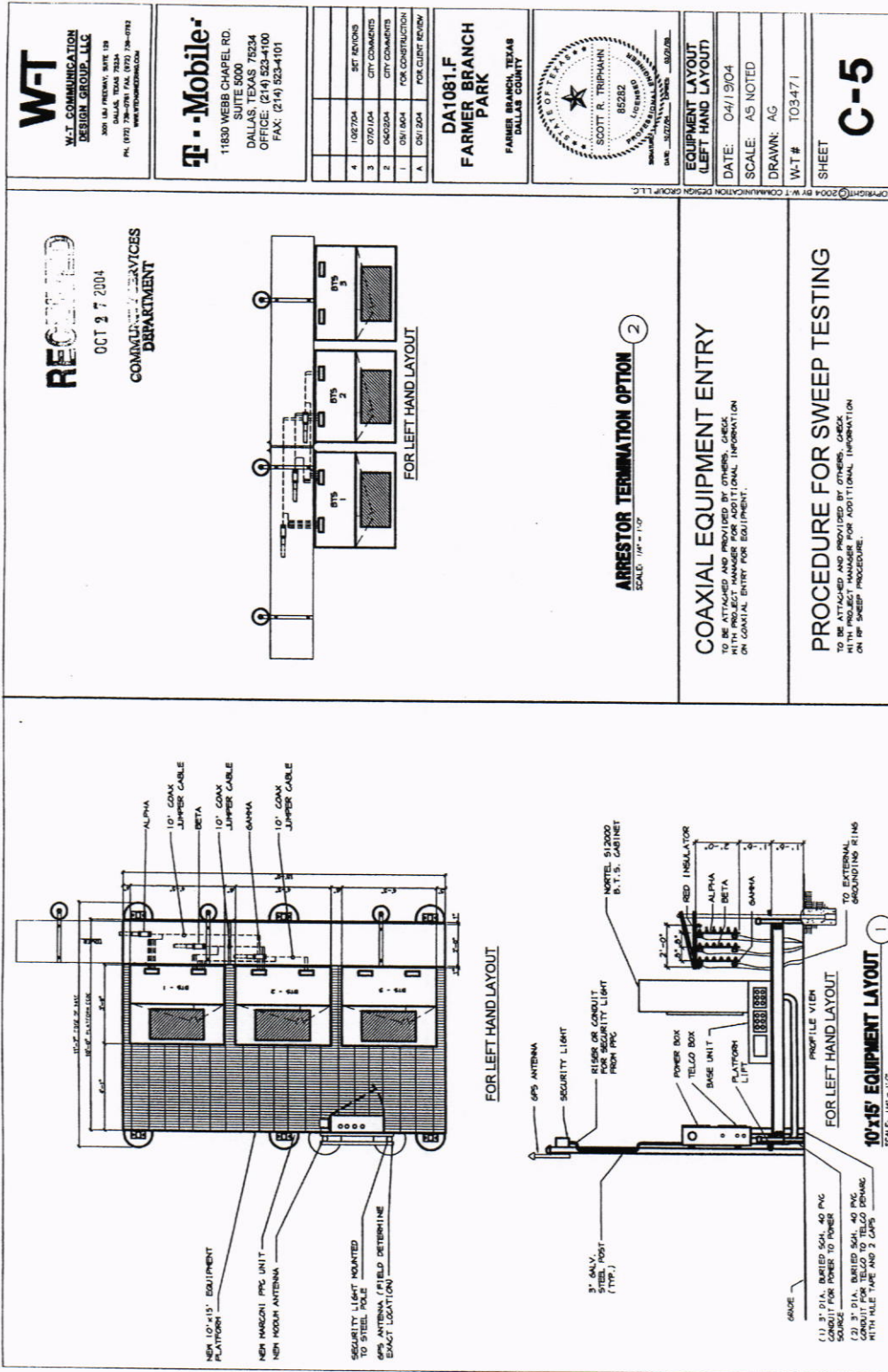
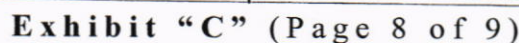
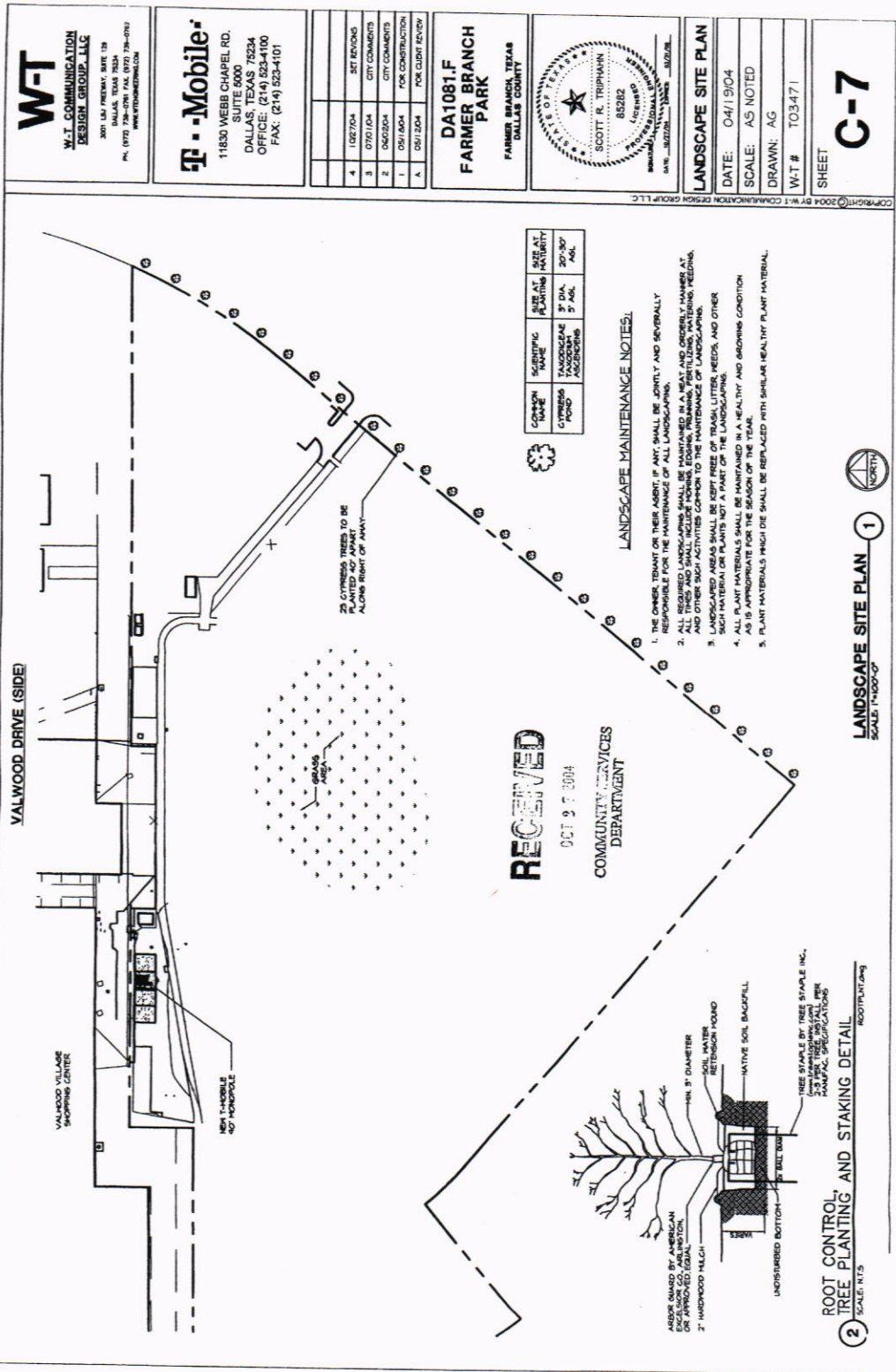


Exhibit "C" (Page 7 of 9)





**W-T COMMUNICATION DESIGN GROUP, LLC**  
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 DALLAS, TEXAS 75224  
 TEL: (972) 738-4791 FAX: (972) 738-4792  
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 SUITE 5000  
 DALLAS, TEXAS 75224  
 OFFICE: (214) 523-4100  
 FAX: (214) 523-4101

4	02/27/04	SET REVISIONS
3	07/21/04	CITY COMMENTS
2	04/23/04	CITY COMMENTS
1	03/11/04	FOR CONSTRUCTION
A	03/11/04	FOR CLIENT REVIEW

**DA1081.F**

**FARMER BRANCH PARK**

FARMER BRANCH, TEXAS  
DALLAS COUNTY

**LANDSCAPE SITE PLAN**

DATE: 04/19/04  
SCALE: AS NOTED  
DRAWN: AG  
W-T # T03471  
SHEET

**C-7**

COMPANY: 2004 BY W-T COMMUNICATION DESIGN GROUP L.L.C.

Exhibit "C" (Page 9 of 9)